

AMENDMENTS TO THE CLAIMS

Please cancel claims 15, 25 and 28, amend claims 1-14, 16-24, 26-27 and 29, and add new claims 30-32 as indicated among the following complete set of pending claims:

Claim 1. (Currently Amended) A merchandiser tracking and marketing data collection system for collecting marketing data pertaining to a merchandiser at a ~~target location~~store, said system comprising:

a store-identifying identification code located at or near an entrance to the store;

a plurality of different product display identification codes located throughout the store;

~~a processor located at the target location to receive and store information; and~~

~~a portable code reader incorporated with said processor, said~~ associated with a specific

merchandiser, the portable code reader to receive input comprising a processor that stores

information from a received through the portable code reader as input by the merchandiser

~~whereby upon input of said information the presence of the merchandiser at the processor is read and recorded in the processor;~~

wherein the portable code reader further receives the store-identifying identification code in

association with an arrival time when the merchandiser enters the store, receives the plurality

of different product display identification codes each in association with marketing data

entered by the merchandiser relating to each different product display as the merchandiser

visits and scans each of the different product display identification codes, and receives the

store-identifying identification code in association with a departure time when the merchandiser leaves the store.

Claim 2. (Currently Amended) The ~~invention~~ system of claim 1 wherein said code reader ~~is adapted to read~~ reads a magnetic strip passed by the reader.

Claim 3. (Currently Amended) The ~~invention~~ system of claim 1 wherein said code reader ~~is adapted to read~~ reads a bar code passed by said reader.

Claim 4. (Currently Amended) The ~~invention~~ system of claim 1 further comprising a printer in connection with said processor whereby said printer can print information relative to the input of information through the code reader.

Claim 5. (Currently Amended) The ~~invention~~ system of claim 1 further comprising a display in association with said processor, said display providing certain predetermined information to enable the merchandiser to input of information through the code reader.

Claim 6. (Currently Amended) The ~~invention~~ system of claim 5 wherein the display is a touch screen and serves as the code reader whereby a merchandiser may input information through the touch screen to record the merchandisers presence at the processor.

Claim 7. (Currently Amended) The ~~invention~~ system of claim 1 further comprising a transfer mechanism to transmit information from the processor to a data center upon occurrence of a predetermined event.

Claim 8. (Currently Amended) The ~~invention~~ system of claim 7 wherein said predetermined event is one or more set times of the day at which transmission occurs.

Claim 9. (Currently Amended) The ~~invention~~ system of claim 1 wherein ~~the code reader is adapted to receive a first input relative to the arrival of a merchant in proximity to the processor and a second input relative to the departure of the merchandiser relative to the processor~~ at least some of the product display identification codes include a bar code on a product on display at the product display associated with the corresponding product display identification code.

Claim 10. (Currently Amended) A merchandiser tracking and marketing data collection system for collecting marketing data pertaining to a merchandiser at a ~~target location~~store, said system comprising:

a transmitter in a predetermined location, the transmitter transmitting a store-identifying identification code;

a receiver ~~in a second location~~; and associated with a storage device whereby one of said transmitter or receiver, in the possession of portable code reader carried by the merchandiser, the receiver receiving the transmitted store-identifying identification code upon entering a location within a predetermined region activates communication between the transmitter and receiver such that the presence of the merchandiser within the region is automatically recorded in the storage device when the merchandiser arrives at the store at an arrival time; and

a plurality of different product display identification codes located throughout the store; wherein the receiver further receives the plurality of different product display identification codes each in association with marketing data entered by the merchandiser relating to each different product display as the merchandiser visits and scans each of the different product display identification codes; and wherein the receiver receives the transmitted store identifying identification code when the merchandiser leaves the store location at a departure time.

Claim 11. (Currently Amended) The ~~invention~~ system of claim 10 wherein the receiver is includes a geolocation positioning device.

Claim 12. (Currently Amended) The ~~invention~~ system of claim 11 wherein the geolocation positioning device is preprogramed with one or more regions about one or more ~~target locations~~ stores.

Claim 13. (Currently Amended) The ~~invention~~ system of claim 12 wherein the geolocation positioning device receives a broadcasted location from the transmitter when the geolocation device is within the region and said event is stored within ~~the~~ a storage device associated with the receiver.

Claim 14. (Currently Amended) The ~~invention~~ system of claim ~~14~~ 10 wherein ~~the transmitter is a global positioning satellite~~ at least some of the product display identification codes include a bar code on a product on display at the product display associated with the corresponding product display identification code.

Claim 15. (Canceled).

Claim 16. (Currently Amended) The ~~invention~~ system of claim 13 wherein the storage device records said event and the time of its occurrence.

Claim 17. (Currently Amended) The ~~invention~~ system of claim 10 wherein ~~said a~~ storage device associated with the receiver records the merchandiser leaving the store with ~~of the receiver outside of the predetermined region.~~

Claim 18. (Currently Amended) The ~~invention~~ system of claim 17 wherein the storage device records the time of day the merchandiser leaves the store with the receiver ~~leaves the predetermined region.~~

Claim 19. (Currently Amended) The ~~invention~~ system of claim 10 wherein the transmitter is at the ~~target location~~ store and the receiver and ~~storage device~~ portable code reader are with the merchandiser.

Claim 20. (Currently Amended) The ~~invention~~ system of claim 19 wherein the ~~storage device~~ portable code reader records the receipt of the transmission by the receiver from the transmitter and the time of said receipt.

Claim 21. (Currently Amended) The ~~invention~~ system of claim 20 wherein the receiver and the ~~storage device~~ portable code reader are unitary.

Claim 22. (Currently Amended) The ~~invention~~ system of claim 21 ~~10~~ ~~where-in~~ wherein the transmitter is a radio frequency transmitter.

Claim 23. (Currently Amended) The ~~invention~~ system of claim 21 ~~further comprising~~ wherein the plurality of different product display identification codes is each associated with a corresponding product display unit and a plurality of packaged products in proximity to said each corresponding display unit and wherein said a transmitter transmitting the product identification code corresponding to each display unit is located in close proximity to said the display unit.

Claim 24. (Currently Amended) The ~~invention~~ system of claim 23 wherein ~~said the~~ transmitter is located in a product package.

Claim 25. (Canceled).

Claim 26. (Currently Amended) The ~~invention~~ system of claim 25 ~~10~~ further comprising a plurality of ~~target locations~~ stores, each containing a ~~receiver whereby said receivers upon receiving a signal from the transmitter triangulate to identify the position of the transmitter transmitting a different store-identifying identification code, and each store containing the plurality of different product display identification codes, wherein the receiver associated with the portable code reader carried by the merchandiser receives different store-~~

identifying identification codes for each store the merchandiser visits and associates the different product display identification codes and data entered by the merchandiser relating to each different product display with the store corresponding to the merchandiser's visit when the product display identification code is received.

Claim 27. (Currently Amended) A merchandiser tracking and marketing data collection method for collecting marketing data pertaining to a merchandiser at a ~~target location~~ store, the method comprising the following steps:

determining a predetermined region about a ~~target location~~ store;

associating a portable code reader with ~~programming said predetermined region within a~~ geolocation positioning device programmed to identify the predetermined region;

recording ~~the a position of said geolocation positioning device~~ the portable code reader when it enters the predetermined region and associating that position with a store-identifying identification code corresponding to the store in the predetermined region;

receiving a plurality of product display identification codes in association with marketing data collected by the merchandiser through the portable code reader at the store as the merchandiser visits and scans each product display identification code;

associating the marketing data collected with the store-identifying identification code; and recording removal of the portable code reader when it leaves the predetermined region.

Claim 28. (Canceled).

Claim 29. (Currently Amended) The ~~invention~~ method of claim ~~28~~ 27 further comprising:

recording ~~the~~ a time of entry of the geolocation positioning device within the predetermined region and ~~the~~ a time the geolocation positioning device exits the predetermined region.

Claim 30. (New) The method of claim 27, wherein receiving the plurality of product display identification codes comprises the steps of receiving a first product display identification code of the plurality of product display identification codes through a first bar code read by the portable code reader as the merchandiser visits a first product display, receiving marketing data relating to the first product display from the merchandiser at the first product display, receiving a second product display identification code of the plurality of product display identification codes through a second bar code read by the portable code reader as the merchandiser visits a second product display, and receiving marketing data relating to the second product display from the merchandiser at the second product display.

Claim 31. (New) The method of claim 30, wherein the first bar code is a bar code on a product displayed on the first product display.

Claim 32. (New) The method of claim 27, wherein the store is a first store among a plurality of stores, the method further comprising determining a different predetermined region about each store among the plurality of stores and associating entry by the portable code reader into any of the predetermined regions with a store-identifying identification code corresponding to the store within that predetermined region.